

# GOVERNORS' UPDATE MAY 2021



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## GOVERNORS' RESPONSIBILITIES: PEER ON PEER ABUSE ("EVERYONE'S INVITED") & DIVERSITY AND INCLUSION RE-VISITED

We usually cover multiple topics in these Updates but the mailbox has been so full of queries about "Everyone's Invited" that we thought a shorter Update on that topic would be helpful to governors at this time. We also take this opportunity to re-visit issues relating to Diversity and Inclusion as there are similarities between the two topics. Both were catapulted to the attention of the educational world by social media campaigns but touched on issues about which the sector was aware and which schools were addressing to varying degrees. Both will now be high on the agenda of school executives but should in any case be matters for discussion by governors.

### 1. PEER-ON-PEER ABUSE

#### THE THREAT TO THE SECTOR

Press coverage has given the impression that the issues relating to rape culture exposed by the "Everyone's Invited" website are most rampant amongst young people educated in the independent sector, although Soma Sara, the founder of "Everyone's Invited" has confirmed that this is not so.

The Department for Education (DfE) has instigated a review of safeguarding in schools in both sectors, to be undertaken by Ofsted { <https://www.gov.uk/government/news/ofsted-review-of-sexual-abuse-in-schools-and-colleges> }. The Independent Schools Inspectorate (ISI) has an observer role in this, as far as independent schools are concerned, and the Independent Schools Council (ISC) is part of the stakeholder reference group for the review which will report by the end of May. It is unthinkable that the review could find deficiencies solely in independent schools in the areas of focus, which include 'whether schools have appropriate safeguarding processes in place, whether current guidance is understood by schools, and whether it is sufficient to help them respond effectively to allegations'. However, there have been rumours that the current arrangements for ISI inspections of independent schools may come under question. Governors may wish to ascertain from school executives how they view the experience of the inspection of safeguarding by ISI with its separation of regulatory compliance from the quality of provision, extensive tariff of inspection days and peer review approach.

At a more local level, there are reputational threats to specific named schools and there is likely to be an impact on all schools from yet another suggestion that safeguarding is a particular problem for independent schools.

And there are resource issues: these can be financial, where schools need to seek advice about the handling of current and historic allegations; but they can be related to staffing, when large amounts of staff time are taken up in responding to any specific allegations and in implementing actions for the future. It is important that these be quantified and that governors remain wary, at



this stage in a year of unprecedented challenges, about the bandwidth and wellbeing of senior leaders.

## **"EVERYONE'S INVITED" DRAWS ATTENTION TO AN ISSUE WHICH IS NOT NEW**

Most of the testimonies on the website relate to incidents taking place outside school, often at parties or similar, with alcohol or other (often illegal) substances playing a significant role. While schools cannot be held responsible for all of these, they do have responsibilities in terms of educating young people in terms of Personal, Social and Health Education (including new requirements introduced this year for Relationships and Sex Education) and in the event that disclosures are made in school. The key DfE guidance about safeguarding, *Keeping Children Safe in Education (KCSIE)*

{[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/954314/Keeping\\_children\\_safe\\_in\\_education\\_2020\\_-\\_Update\\_-\\_January\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/954314/Keeping_children_safe_in_education_2020_-_Update_-_January_2021.pdf)} and The

Equalities Act are not new and apply to both sectors. Part 5 of *KCSIE* is entitled 'Child On Child Sexual Violence and Sexual Harassment'. Also, a separate DfE guidance document *Sexual violence and sexual harassment between children in schools and colleges (SH&SVBC)*

{[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/719902/Sexual\\_violence\\_and\\_sexual\\_harassment\\_between\\_children\\_in\\_schools\\_and\\_colleges.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/719902/Sexual_violence_and_sexual_harassment_between_children_in_schools_and_colleges.pdf)}

was published in 2018, and other guidance was already available in addition to that which has been published in recent months. Governors are required to have read and understood part 1 of *KCSIE* and you should check both that your records indicate that this is so and that understanding remains fresh. You might want to read or ask for a briefing on part 5.

## **SCHOOLS' SAFEGUARDING COMPLIANCE AND THE QUALITY OF PUPILS' PERSONAL DEVELOPMENT HAVE BEEN INSPECTED**

All independent schools' safeguarding arrangements have been inspected under the current inspection cycle at least once: the reports are on the ISI website [www.isi.net](http://www.isi.net) and available from the school (usually on the website). Governors should be familiar with what those reports said and, where there was non-compliance, what was done (usually in the form of an action plan required by DfE).

It may also be reassuring to know what was included in the evidence base for judgements of pupils' personal development, perhaps through a briefing from the Designated Safeguarding Lead or the member of the Executive who leads on inspection including:

- what criteria are covered by the ISI framework <https://www.isi.net/support/publications/isi-inspection-framework>
- the areas inspectors are required to cover
- what questions are asked of parents, staff and pupils before inspection
- what further questions are asked of staff and pupils during inspection

This should give further confidence in the validity of the judgements (mostly good or outstanding) in response to queries.

## **URGENT ACTIONS FOR SCHOOLS**

But having confirmed the public judgement in this area of your school, there are some key steps and governors will want to know:



- Has the school been named on the Everyone's Invited website;
- If so:
  - Has a list of the allegations been made;
  - Have any of these been referred to the police, the LADO or children's services;
  - Is there evidence in school files of any allegations or incidents which tie up with anything on the site;
- Is there, in any case, evidence in safeguarding files that any such allegations or incidents which have arisen have been properly followed up especially in terms of appropriate referrals to statutory agencies;
- If the Risk Register should be adjusted;
- If a serious incident report has been made to or should be made to the Charity Commission (for schools which are charities).

### **ADDRESSING THE POINTS RAISED BY "EVERYONE'S INVITED"**

Several schools received letters from people associated with "Everyone's Invited" or from groups of former pupils relating to the website and governors will want to know about any such correspondence and whether or not (and how) it was responded to (and why or why not). Whether or not such correspondence is embarked on or responses made to press enquiries, it is important that schools have addressed the recommendations made by "Everyone's Invited". Even if the findings are not at this stage given further circulation, you will want to be assured, if an allegation were to occur in a future testimony on the website, that this necessary preliminary work has already been done. In summary, their recommendations were:

- Reform sex education;
- Zero tolerance;
- Collaborate with sex-ed organisations (sic);
- Rehabilitation for perpetrators;
- Support for victims

Many schools will be able to say that they are well ahead in many or all of these areas and, crucially, that 'consent' is a central element of their PSHE programme. Where they are not, they may have good reasons for it e.g. a compelling case for undertaking RSE in another way than having weekly half-hour sessions for all. If that is the case, it will not mean that schools have no more work to do, but it will mean that they can begin from a confident position.

### **REVIEWING ARRANGEMENTS FOR LISTENING TO CHILDREN**

Governors will be aware that schools should always be ready for inspection and if there is any suspicion that the eye has been taken off that ball because there have been no scheduled inspections during the pandemic, they should assure themselves that inspection readiness is in hand. For all schools, a review with this specific issue in mind would be timely and might include:

- Is it easy for anyone to understand what is meant by 'peer on peer abuse'?
- What should happen in the event of witnessing it or being a victim;
- Who can people talk to in person or anonymously and how can they communicate, what to do in an emergency, what happens next;
- Have all the staff received training in this and do they understand it—and how do you know;



- Has it been covered with all pupils and do they understand it—and how do you know;
- Does your training for staff encapsulate Part 5 of *KCSIE* and *SH&SVBC* but make it accessible;
- Is your communication on this for pupils age-appropriate and accessible

## **ADVICE AVAILABLE**

As is so often the case, there is a plethora of advice available. On this occasion, ISC has taken a strong lead, and I recommend that governors with safeguarding responsibilities look at the dedicated pages on this on their website <https://www.isc.co.uk/sector-info/safeguarding/>

## **LOOKING AHEAD**

Most schools will take this opportunity to develop an action plan for safeguarding in the light of all these developments. These are easiest to develop when the values of the school are clearly articulated and known to alumni, staff, parents and pupils. In some cases, a review like the one above and/or an action plan can reveal either that values are not clearly articulated or that they are not understood by some or all of these stakeholders. Where that is the case, there is work to be done. Schools need a culture underpinning the community which reflects their values in this area as in all others. You will want to ensure that there is nothing about your provision which might appear to value some pupils more than others. You will want to know that these issues are understood, that they are recognised and named, where no pupil has to live in fear, where pupils who instil fear or otherwise assault others recognise the consequences, where victims will engage with the school and where bystanders speak out.

Elements of the action plan might include:

- Ongoing communication with former pupils about school values in the context of heritage and the challenges of the contemporary world
- Securing and maintaining parental buy-in to the values of the school and how they are exemplified in this area
- Provision of support for parents in following up elements of PSHE at home
- Communication, training and induction for staff about modelling the values of the school and in the vital importance of good RSE
- Induction and training for pupils in understanding school values, living them and calling out breaches
- Provision and development of effective RSE including monitoring through student voice
- Policy development in the light of the policy review and feedback from pupils

## **AND FINALLY**

Governors are not required to undertake any of the actions highlighted above (except in terms of their responsibilities in relation to the Risk Register and the Charity Commission). But you can see that what is required of your school leaders is a tall order. Challenge from you will be important, of course, but not interference, and your support will be essential. This is yet another difficult issue being addressed by people whose stamina and resilience have been sorely tested in recent months.



## 2. DIVERSITY AND INCLUSION

### KEEPING ABREAST OF DEVELOPMENTS IN SCHOOL

I mentioned above that it is important that there is nothing about your provision which might appear to value some pupils more than others and this is an example of where the work schools have been doing this year, especially about diversity and inclusion, impacts on all areas of school life. This is an area which again tests the school's values and culture. For many schools, the focus on this since last year has been very helpful. As with issues relating to safeguarding this year, it has helped to embed an effective process of self-evaluation and in providing a lexicon to facilitate that process. The most effective self-evaluation involves realistically assessing where we are now, where we should be, and how we are going to get there.

In a recent Governors' Update, I suggested that governors should be checking in this regard:

- what approach the nominations (or another) committee is taking in terms of governance
- what training has been planned for or undertaken for governors and staff
- how HR is acting in terms of recruitment
- what action has been taken in terms of the curriculum and other aspects of school life in the light of feedback from past pupils and current members of the school community

You will appreciate the similarity with issues arising from "Everyone's Invited". Hopefully, some of this will have been translated into an action plan which governors can review. This will involve appreciating that cultural change is not straightforward (support) and aspiring to tangible improvements (challenge) as part of the board's oversight and monitoring.

### GUIDANCE AVAILABLE

Sources of guidance are, as usual, plentiful and a good synthesis is available on the ISC website <https://www.isc.co.uk/sector-info/inclusion-and-diversity/>. I would draw attention in particular to the following:

- In terms of governance, Diverse Educators has a series of recorded webcasts to view on the topic of Diverse Governance. See [Diverse Governance | Diverse Educators](#)
- With regard to recruitment, this is a useful article on making teacher recruitment more inclusive [Diversity in schools: How to make teacher recruitment more inclusive | Tes](#)
- I would expect school leadership teams to be familiar with Schools' Inclusion Alliance - [www.schoolsinclusionalliance.co.uk](http://www.schoolsinclusionalliance.co.uk) - which provides resources and support to embed inclusion in your school culture
- The Decade of Diversity initiative recently launched by Inclusion Labs to work towards securing greater diversity on governing boards by 2031 [Decade of Diversity - Inclusion Labs](#)

## 3. RSACADEMICS INITIATIVE

RSAcademics has been working hard in recent months on equality, diversity and inclusion matters. It's important to feel confident to make unequivocal statements about these things and we strongly believe that we will be a better company if we embrace and promote diversity in all its forms and take action to become a more inclusive organisation. Gender, ethnicity, sexual orientation and all other protected characteristics should be no barrier to progress and we believe people from all backgrounds should be appointed on merit, valued for their qualities and cultural contribution, and be able to thrive within inclusive school environments.

One particularly exciting initiative which we are proud to tell you about is our conference which we are co-organising with [BAMEd](#) and [All-in Education](#). As part of the conference, Johan Jensen from All-in Education will be running a session targeted at governors on **Inclusive Recruitment on Thursday 10<sup>th</sup> June at 5pm**. For full details and to register [for free](#) click on the link below:

[Career Development Conference 7-12 June 2021 – BAMEd Network](#)

**Please spread the word to your networks – governors have a real opportunity to make impactful change and increase the diversity of school leaders. Change starts with governors as individuals making a commitment to doing things differently and I urge you to attend.**

Meanwhile we continue our collaboration with All-in Education to conduct “Sense of Belonging” surveys for clients – RSAcademics conducts the research and All-in Education provides the bespoke support for schools based on the survey. It has proved an eye-opening experience for our clients. If you’re interested in finding out more, please contact [heatherstyche-patel@rsacademics.com](mailto:heatherstyche-patel@rsacademics.com)

More information about the RSAcademics approach to equality, diversity and inclusion can be found here: [Diversity & Inclusion - RSAcademics](#)

## ABOUT THE AUTHOR



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Durell joined RSAcademics in 2016 and throughout his career he has worked with school leadership teams to support them with all aspects of governance and compliance. He was formerly Deputy Director and Head of Communications at the Independent Schools Inspectorate and before that taught in HMC schools, latterly as a Deputy Head. At ISI, Durell was responsible for liaising with Ofsted, the DfE, ISC, school associations, schools, parents and other interested parties on matters relating to safeguarding and quality assurance. He was closely involved in the development and implementation of the revised frameworks for inspection introduced successively in 2006, 2010, 2012 and 2015-6. A governor of both maintained and independent schools, Durell has hands-on experience of the challenges faced by busy and highly committed Governors endeavouring to exercise their responsibilities within time constraints. In September 2018, Durell was appointed Chairman of the Independent Schools Examinations Board (ISEB), alongside his role at RSAcademics.

**If you'd like to discuss anything in this Governors' Update please contact Durell directly: [durellbarnes@rsacademics.com](mailto:durellbarnes@rsacademics.com). Durell Barnes, Head of Governance and Compliance**

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We enable schools worldwide to thrive: by finding and developing leaders, guiding decisionmakers, making connections and shaping debate. We are known for the calibre and spirit of our people. We exist entirely to help schools and we support them in five main areas:



- **Strategy, marketing and research**
  - Market studies, competitor analysis, brand positioning studies, demographic mapping
  - Perception and attitude research among stakeholders using various methodologies, including our flagship “SchoolPulse” suite of online, benchmarked surveys
  - Advising on strategic planning and assessing specific business initiatives and opportunities, working with Boards and Senior Teams as facilitator and guide
  - To improve student recruitment and retention, we conduct transformational Marketing & Admissions Audits and put together effective marketing plans
- **Equality, diversity and inclusion**
  - Working with our expert and experienced partners at All-in Education, we support schools as they seek to embrace and promote diversity and inclusion. We provide stakeholder research, while our partners provide the training and consultancy.
- **Operational improvement**
  - Usually wide-ranging reviews of a school’s operation, from financial management and health and safety through to governance and leadership structures, almost always with a major focus on the educational provision itself.
- **Leadership and governance**
  - The executive search and selection of Heads and CEOs/Principals and other senior hires, including Deputies, Business Directors, FDs and Marketing, Admissions and Fundraising staff. We also help to recruit new Governors and Chairs of Governors.
  - Reviews of governance as well as training for Governing Boards
  - Coaching, appraisals and developmental reviews of Heads and other senior staff working in partnership with Clarissa Farr Consulting Ltd
- **Philanthropy**
  - A full suite of services, ranging from those aimed at “start-up” Development Offices, through to more advanced and specialised support

We also publish influential reports including several relating to school leadership in the COVID-19 Pandemic, the ground-breaking Ten Trends series, The Art of Headship and The Art of International School Headship and much more (please visit “Publications” on our website).

The company was set up in 2002 by Russell Speirs who remains the CEO. Since then, it has grown steadily: last year we worked with over 250 different school clients and counted over 80 employees and associates. Our values and goals have remained the same since we started:

- To provide work of the highest quality – we are rigorous, imaginative and hard-working
- For our clients to enjoy working with us because of our integrity, warmth & professionalism
- To help our clients to thrive - always putting them first and acting in their best interest
- To use our time and money voluntarily to support children’s education and development

For more information, please visit [www.rsacademics.com](http://www.rsacademics.com)

Or contact Russell Speirs, CEO – [russellspeirs@rsacademics.com](mailto:russellspeirs@rsacademics.com) or mobile: +44 7879 607078

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